

PRISONER'S CIVIL RIGHTS COMPLAINT (Rev. 05/2015)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

Wesley McCoy #1687741
Plaintiff's Name and ID Number Michael's Unit
Mental health diversion program 12-A-35
2664 FM 2054 Tenn. Colony, TX 75886

Place of Confinement

David Stebbins Mental health program director
Jennifer Sanders Mental health supervisor
Perez, MARIBEL Mental health staff
V. Carlie Robbins Mental health staff
Tonya Russell Mental health staff
Alison Travis Mental health staff

CASE NO.

0:22-cv-01

(Clerk will assign the number)

Defendant's Name and Address Jennifer Wheeler Mental health staff
Lynsey Howell Mental health staff
Saxon Howell Mental health staff
Bersheff, Ker Mental health staff

Defendant's Name and Address Allison Berger Mental health staff
Jolisa Jones Mental health staff Michael's Unit
Jennifer Kiser Mental health staff Michael's Unit
2664 FM 2054
Tenn. Colony, TX 75886

Defendant's Name and Address
(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACKSIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

FILING FEE AND *IN FORMA PAUPERIS* (IFP)

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$50.00 for a total fee of **\$400.00**.

2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.

3. The Prison Litigation Reform Act of 1995 (PLRA) provides "... if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or a initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$50.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)

4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

CHANGE OF ADDRESS

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "**NOTICE TO THE COURT OF CHANGE OF ADDRESS**" and shall not include any motion for any other relief. Failure to file a NOTICE OF THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

I. PREVIOUS LAWSUITS:

A. Have you filed any other lawsuit in state or federal court relating to your imprisonment? / YES NO

B. If your answer to "A" is "yes", describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)

1. Approximate date of filing lawsuit: _____

2. Parties to previous lawsuit:

Plainti (s) _____

Defendant(s) _____

3. Court: (If federal, name the district; if state, name the county.) _____

4. Cause number: _____

5. Name of judge to whom case was assigned: _____

6. Disposition: (Was the case dismissed, appealed, still pending?) _____

7. Approximate date of disposition: _____

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: Previous LAWSUIT. I have also a law suit on a Alfred Ann
Correctional staff. ✓ yes I have. But
all my property legal work was in another bag. I was ship
here and. I waited they kept the legal chain bag. so I
cannot remember everything. I was the only plaintiff in case
1687741

- II. PLACE OF PRESENT CONFINEMENT: Tenn. Colony, TX 75886
- III. EXHAUSTION OF GRIEVANCE PROCEDURES:
- Have you exhausted all steps of the institutional grievance procedure? ✓ YES NO
- Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

IV. PARTIES TO THIS SUIT:

A. Name and address of plaintiff : Wesley McCoy #1687741 Michael's Unit 12 building
Mental health diversion program. Apod 35 cell. 2664 FM 2054
Tenn. Colony, TX 75886

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: Mental health diversion program director/manager. David Stebbins
Michael's Unit 2664 FM 2054 Tenn. Colony, TX, 75886 12 building.

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you. David Stebbins has allowed cruel unusual punishment from wardens and officers
staff up on mental health offenders in CMI And Mental health offenders on 12 bldg.

Defendant #2: Mental health diversion program supervisor Jennifer Sanders
Michael's Unit 2664 FM 2054 Tenn. Colony, TX 75886

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you. She also
a staff that helps David Stebbins with running the mental health offenders
on Michael's which activities or who stay in CMI, she knows everything
cruel unusual punishment, and neglecting

Defendant #3: Mental health diversion program manager, Allison Bernard
Michael Unit 2664 FM 2054 Tenn. Colony, TX 75886

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you. Another
staff, that we were getting fed like animals also no showers, no recreation
and verbal abuse from the T.D.C. corrections. She let it go on.

Defendant #4: Mental health program case worker Solisa Jones, on Michael
Unit 2664 FM 2054, Tenn. Colony, TX 75886

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you. She pass
out crossword puzzle but not replying or giving any
complaints to the state, capital, nor health care board.

Defendant #5: Jennifer Kiser mental health case manager on Michael
Unit 2664 FM 2054 Tenn. Colony, TX 75886

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you. She knows
also there's a very short of staff. And they not giving us hot meals, no
showers, daily recreation, cold jammies socks, keep us on lock down!
no medical providers

V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

I have in Michael's Unit Mental health program under mental health, have tried to get all the ensure needs and I have been neglected by Mental health department on Michael's Unit, 2664 Fur 2021 Tenn. Colony, TX 75886. By being a short of staff officers. Mental health from 2018 to January 15, 2022. HHS manipulated us mental health offenders, on a 24/7 lockdown, coldless-Johnny had sack, not releasing medical or mental health records to Mental health offenders. Not letting us spend 90.00 a day of commissary. That our sons spin, not letting me go from at-seg. The mental health program was set to let all mental health at-seg offenders go. I finish the program at custody Line 1. I sit here now for the mental health care. I am not receiving professional help at all. Weeks of no showers, then run a few showers. No TVs nothing. I live on lockdown how general population having chess, basket ball, running, there's no could lock down. They are really short of staff, leaving us mental health offenders on the pad by ourself with 1 row inside the safe booth. That's why this program has many suicide commits. no treatment to my dental & no medical providers gun diseases

VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes. *For every state prison, allow offenders to write more than one grievance whenever there's a prison complaint. Also make the state*

health program to properly release offenders in their own state. To me.

VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases.

Wesley McCoy SCOOBY or (Ramadhan Moor my muslim name now)

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

#1687741 Michael's Unit, Smith Unit, Allred Unit, Montford

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? ☐ YES ☒ NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): _____

2. Case number: _____

3. Approximate date sanctions were imposed: _____

4. Have the sanctions been lifted or otherwise satisfied? ☐ YES ☒ NO

the following items from Commissary, and have it shipped to my place of confinement. Tribute to me. In there ~~over~~ own capacity.

~~the following~~ ~~items~~ ~~from~~ ~~Commissary~~, and have it shipped to my place of confinement. Tribute to me. In there ~~over~~ own capacity.

#1 David Stebbins Size 10 boots
 #2 Jennifer Sanders
 1 HOT POT
 1 FAN
 1 watch
 1 night light
 1 Chess Board
 3 Commissary bag
 2 bowls
 30 stamps
 30 Envelopes

#3 Jolissa Jones
 1 pants Thermal Lg
 1 shirt Thermal 2x
 2 shirts 2x
 9 Mega Omega Trail Mix

#4 Jennifer Kiser
 10 Snickers
 10 peanut M&M
 10 Twix
 30 Chic-O-stick

#5 Perez Maribel
 2 Hygiene packs
 30 soups
 20 Turkey bites

#6 CARTIE Robbins
 7 Tortillas
 7 Rice
 1 Calculator G.E.D
 20 pencils

#7 Tonya Russell
 8 chili no beans
 8 Turkey bites
 8 mackerel

#8 Alison Travis
 200 soups

#9 Lynsey Howell
 20 peanuts
 1 Hygiene pack

#10 Jason ~~lively~~
 10 ink pens
 10 Tablets

#11 Jennifer Wheeler
 8 mini bud cookies

#12 Bershett KerL
 8 golden round crackers
 8 Tun

#13 Allison Bernard
 8 roast beet
 10 potatoe chips
 8 gatorade

C. Has any court ever warned or notified you that sanctions could be imposed? YES NO

D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)

1. Court that issued warning (if federal, give the district and division): _____
2. Case number: _____
3. Approximate date warning was issued: _____

Executed on: _____
DATE

Wesley M Coy
Wesley M Coy
(Signature of Plaintiff)

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this _____ day of _____, 20____.
(Day) (month) (year)

Wesley M Coy
Wesley M Coy
(Signature of Plaintiff)

WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.

W. McLeary 1687741
Allred Unit
2101 Elm, 3697,
Iowa Park, TX 76367

Federal bldg
211 W. Ferguson St. Km 106
Tyler, TX 75702

